

REMARKS

The enclosed specification is being provided by Applicant as a Substitute Specification pursuant to 37 C.F.R. § 1.125(b) and M.P.E.P. § 608.01(q). The specification has been amended to correct typographical errors which would be apparent to a person skilled in the art. The amendments to the specification on pages 16 and 18 are fully supported by the application as filed, *see, e.g.*, page 14, line 3 to page 15, line 4; page 15, lines 15 to 25. Accordingly, pursuant to 37 C.F.R. § 1.125(b), Applicant's representatives hereby state that the enclosed Substitute Specification includes no new matter. Pursuant to 37 C.F.R. § 1.125(c), Applicant concurrently submits herewith a "marked-up" copy of the Substitute Specification showing the amendments (additions indicated by double underline and deletions indicated by strikethrough) to the specification relative to the amendments made to the specification in the Preliminary Amendment filed on September 27, 2005. Please enter the Substitute Specification in the file history of this application.

Claims 1 to 25 were pending in this application. Claims 1 to 25 have been canceled without prejudice. Applicant reserves the right to prosecute the subject matter of the canceled claims in the present application and/or one or more related applications. New claims 26 to 48 have been added. The new claims are fully supported by the specification, *see, e.g.*, the table below for examples of support in the specification for the new claims.

| <u>Claim No.</u> | <u>Examples of Support in Specification</u> |
|-------------------------|---|
| 26 | Section 5.6, Page 100, line 20 to page 114, line 25 |
| 27 | Section 5.6, Page 100, line 20 to page 114, line 25 |
| 28 | Section 5.6, Page 100, line 20 to page 114, line 25 |
| 29 | Page 18, line 31 to page 19, line 4 |
| 30 | Page 18, line 31 to page 19, line 12 |
| 31 | Page 18, line 31 to page 19, line 12 |
| 32 | Page 18, line 31 to page 19, line 12 |
| 33 | Page 19, lines 13 to 22 |
| 34 | Page 19, lines 13 to 32 |
| 35 | Page 19, lines 13 to 32 |
| 36 | Page 19, lines 13 to 32 |

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| 37 | Page 106, line 30 to page 107, line 12 |
| 38 | Page 106, line 30 to page 107, line 12 |
| 39 | Page 106, line 30 to page 107, line 12 |
| 40 | Page 50, lines 18 to 26 |
| 41 | Page 50, lines 18 to 26 |
| 42 | Page 66, lines 14 to 20 |
| 43 | Page 66, line 31 to page 67, line 7 |
| 44 | Page 66, line 31 to page 67, line 7 |
| 45 | Page 114, line 26 to page 119, line 2 |
| 46 | Page 114, line 26 to page 119, line 2 |
| 47 | Page 120, line 5 to page 122, line 29 |
| 48 | Page 120, line 5 to page 122, line 29 |

Thus, no new matter has been added. After entry of the present Amendment, claims 26 to 48 will be pending in the instant application.

Applicant thanks the Examiner for the discussion regarding the Restriction Requirement on October 30, 2008 in a telephone conference with Applicant's representative, Jennifer Chheda. Applicant notes that the Examiner indicated during the telephone conference that the subject matter of claims 26 to 48 would fall within Group 1, as set forth below.

The Examiner has required an election under 35 U.S.C. § 121 and § 372 of one of the following groups:

- Group I: Claims 1-17, drawn to a method for identifying an anti-fungal compound;
- Group II: Claim 18 and 19, drawn to a method of treating a fungal infection;
- Group III: Claims 20 and 21 (in part), drawn to a method of treating cancer;
- Group IV: Claims 20 and 21 (in part), drawn to a method of treating psoriasis; and
- Group V: Claims 20 and 21 (in part), drawn to a method of treating pulmonary fibrosis.

In response, Applicant hereby elects to prosecute the claims of Group I, drawn to a method for identifying an anti-fungal compound.

The Examiner has required species elections under 35 U.S.C. § 121 if Group I is elected. In particular, the Examiner has required that Applicant elects a single species from

each of the following:

A. A single measuring approach including, *e.g.*: (a) measuring the ligation of half molecules, and (b) measuring the fluorescence of half molecules.

B. A single tRNA splicing ligase including, *e.g.*: (a) animalia tRNA splicing ligase, and (b) fungal tRNA splicing ligase.

C. A single cell free extract including, *e.g.*: (a) a yeast cell-free extract, (b) a mammalian cell-free extract, and (c) a human cell-free extract.

D. A single type of compound from a combinatorial library including, *e.g.*: (a) peptoids, (b) random bio-oligomers, (c) diversomers such as hydantoins, benzodiazepines, and dipeptides, (d) vinylogous polypeptides, (e) nonpeptidal peptidomimetics, (f) oligocarbamates, (g) peptidyl phosphonates, (h) peptide nucleic acid libraries, (i) antibody libraries, (j) carbohydrate libraries, and (k) a small organic libraries.

In response, Applicant hereby elects the following:

A. Measuring the ligation of half molecules.

B. Animalia tRNA splicing ligase.

C. Human cell-free extract.


D. Isoprenoid library

Applicant believes that claims 26 to 39, 41, and 43 to 47 read on the elected species.


Applicant respectfully requests entry of the amendments and remarks made herein into the file history of the present application.

Respectfully submitted,

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